

S U M M A R Y A C T I O N M I N U T E S



REGULAR MEETING OF THE BOARD OF SUPERVISORS ORANGE COUNTY, CALIFORNIA

Tuesday, April 20, 2004, 9:30 A.M.

BOARD HEARING ROOM, FIRST FLOOR
10 Civic Center Plaza
Santa Ana, California

THOMAS W. WILSON
CHAIRMAN
Fifth District

JAMES W. SILVA
VICE CHAIRMAN
Second District

CHARLES V. SMITH
SUPERVISOR
First District

BILL CAMPBELL
SUPERVISOR
Third District

CHRIS NORBY
SUPERVISOR
Fourth District

ATTENDANCE: Supervisors: Silva, Campbell, Norby and Wilson

EXCUSED: Supervisor Smith

PRESENT:	COUNTY EXECUTIVE OFFICER	James D. Ruth
	COUNTY COUNSEL	Benjamin P. de Mayo
	CLERK OF THE BOARD	Darlene J. Bloom

INVOCATION: Supervisor Silva, Second District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Campbell, Third District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

Chairman Wilson presenting a resolution proclaiming April 2004 as "National Donate Life Month"

Supervisor Campbell presenting a resolution proclaiming April 18-24, 2004 as "Week of the Young Child"

II. CONSENT CALENDAR (Items 1-57)

42135 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 11 WHICH WAS**
X **CONTINUED TO 4/27/04, 9:30 A.M.; ITEMS 12, 32, 49 & 53-56 WHICH WERE PULLED FOR**
DISCUSSION AND SEPARATE VOTE

S U M M A R Y A C T I O N M I N U T E S

BOARD APPOINTMENTS

Chairman Wilson:

1. Veterans Advisory Council - Appoint Sean Sargeant, Laguna Hills, to complete term ending 3/4/06; and reappoint Joe Raney, Laguna Woods, for term ending 1/4/06; Dave Connell, Laguna Beach, for term ending 3/28/06 and William C. Manes, Dana Point, for term ending 3/27/06
2. Waste Management Commission - Appoint Joe Soto, San Juan Capistrano, to complete term ending 11/18/04

Supervisor Campbell:

3. Housing and Community Development Commission - Appoint Jim Palmer, Tustin, to complete term ending 6/30/05
4. Foothill/Trabuco Specific Plan Review Board - Reappoint Robert A. Wilks and Adam Smith, Trabuco Canyon, for terms ending 6/30/04 and Stephen Nordeck, Trabuco Canyon, for term ending 6/30/05
5. **Supervisor Norby** - Orange County Historical Commission - Reappoint Stephen J. Faessel, Anaheim, for term concurrent with 4th District Supervisor's term of office
6. **Supervisor Smith** - Waste Management Commission - Reappoint Patricia McGuigan, Santa Ana, for term ending 3/21/06

DEPARTMENT APPOINTMENTS

7. **Housing and Community Services Department - Acting as the Board of Supervisors and Orange County Housing Authority** - Housing and Community Development Commission - Appoint Scott C. Larson, Aliso Viejo, as Member-At-Large for term ending 6/30/04 - All Districts

COMMENDATIONS/PROCLAMATIONS

8. **Chairman Wilson** - Adopt resolution proclaiming April 2004 as "National Donate Life Month"
RESO: 04-092

HEALTH CARE AGENCY

9. Approve amended agreement with Seals On Wheels, Inc. for Children's Dental Disease Prevention services, 7/1/03 - 6/30/04 (\$25,827; new total \$284,399) - All Districts

HOUSING AND COMMUNITY SERVICES DEPARTMENT

10. Approve Master Agreement with Council of Orange County and Society of St. Vincent De Paul for Older Californians Act services, FY 2003-04 (\$24,269) - All Districts

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INTEGRATED WASTE MANAGEMENT DEPARTMENT

11. Select GeoSyntec Consultants as primary and Bryan A. Stirrat & Associates as alternate firms to provide multi-discipline engineering support services, south region landfill operations; and authorize negotiation of agreement for Board approval - District 5

42135 **CONTINUED TO 4/27/04, 9:30 A.M.**

X

JOHN WAYNE AIRPORT

12. Approve continuance of emergency and make appropriate findings pursuant to Public Contract Code Section 22050 (c)(1) for Phase II structural security modifications; set review to determine continuing need for emergency action for 5/4/04, 9:30 a.m. and every 14 days thereafter - District 2 (4/5 vote)
(Continued from 3/9/04, Item 46; 3/23/04, Item 10; 3/30/04, Item 13)

23145 **APPROVED AS RECOMMENDED**

X

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

13. Authorize release of security for monumentation, Tract 14957, Coto De Caza, Ltd., Coto De Caza area - District 5
14. Approve amendment 3 to agreement D00-099 with RBF Consulting for on-call professional services, extending term to 4/29/05 - All Districts
15. Approve revised rates and fees to be utilized in recovering costs for Internal Services/Transportation Fleet Management division, effective 1/1/04 - All Districts (Continued from 3/30/04, Item 32)
16. Approve agreement with University of California Regents for monthly parking at Manchester Avenue complex parking facility; and make California Environmental Quality Act findings - District 3
17. Approve Tract 16390, DMB Ladera, LLC, Ladera Ranch area; accept easements for emergency and public vehicular ingress and egress; approve construction agreement S1203-0143 and accept bonds guaranteeing construction of improvements - District 5
18. Adopt resolution authorizing release of cash security and completion of traffic signal at Antonio Parkway and Terrace Road, Tract 16063, DMB Ladera, LLC, Ladera Ranch area - District 5
RESO: 04-093
19. Authorize release of security for street improvements, street lights, sewer system, storm drain and monumentation, Tract 15757, Coto De Caza, Ltd., Coto De Caza area - District 5
20. Accept work with KDC Inc. dba Dynalectric for traffic signal installation and highway lighting system, intersection of Prospect Avenue and Esplanade Avenue, North Tustin area; project completed 9/26/03 (\$413,285.20) - District 3
21. Accept work with Steiny and Company, Inc. for traffic signal installation and highway lighting system, Oso Parkway and Morning Trail, Las Flores area; project completed 10/28/03 (\$102,689.13) - District 5
22. Approve plans and specifications and set bid opening for 5/12/04, 2:00 p.m., for new public restroom

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building, Carbon Canyon Regional Park - District 3

23. Approve plans and specifications and set bid opening for 5/19/04, 2:00 p.m., for expanding Transportation - South County garage capability, Laguna Niguel - District 5
24. Adopt resolution accepting Irrevocable Offer of Dedication for public beach access and passive recreational use easements along portion of shoreline, Laguna Beach; and make California Environmental Quality Act and other findings - District 5
RESO: 04-094
25. Adopt resolution establishing standard plans and specifications for the construction, improvement and repair of highways, bridges, flood control and recreational facilities; and authorize printing, distribution and sale of "RDMD Standard Plans, 1996 Edition" - All Districts
RESO: 04-095
26. Approve agreement D04-013 with Laguna Woods for materials testing services for various public works projects - District 5
27. Adopt resolution proclaiming April 17-24, 2004, as "Santiago Creek Week" - Districts 1 & 3
RESO: 04-096
28. Approve plans and specifications and set bid opening for 5/12/04, 2:00 p.m., for slurry seal of various streets; and make California Environmental Quality Act findings - Districts 3 & 5
29. Approve plans and specifications and set bid opening for 5/12/04, 2:00 p.m., for asphalt overlay resurfacing and slurry seal of various Harbors, Beaches and Parks facilities; and make California Environmental Quality Act findings - Districts 3, 4 & 5
30. Adopt resolution affirming commitment to grant agreement 02-JHBP-094 with State Department of Housing and Community Development for Jobs Housing Balance Incentive Grant Program (\$495,772) - All Districts
RESO: 04-097

Acting as the Orange County Flood Control District:

31. Approve agreement D04-008 with M.J. Schiff and Associates, Inc. for professional engineering support services, Talbert and Huntington Beach Channels (\$410,590); and authorize Director to extend agreement two additional years under certain conditions - District 2
 32. Approve termination of emergency action originally approved on 12/16/03, regarding sediment and vegetation removal from San Diego Creek; accept completed Emergency Channel Repair of San Diego Creek with estimated final construction cost of (\$1,275,000); and direct RDMD to pursue regulatory permits for long term maintenance activities that allow for flood control and managed vegetation to coexist in San Diego Creek between Jamboree Road and San Diego Freeway that would provide 100 year capacity in the creek - Districts 1, 2 and 3 (Continued from 12/16/03, Item 64; 1/6/04, Item 5; 1/13/04, Item 25; 1/27/04, Item 31; 2/10/04, Item 11; 2/24/04, Item 27; 3/9/04, Item 31; 3/23/04, Item 17; 3/30/04, Item 34)
- 35124
X **APPROVED AS RECOMMENDED**
33. Approve amendment 2 to agreement D01-001 with DMJM+Harris Inc. for on-call professional engineering services; and make California Environmental Quality Act findings - All Districts

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Acting as the Board of Supervisors and Orange County Flood Control District:

- 34. Approve plans and specifications and set bid opening for 5/19/04, 2:00 p.m., for construction of Huntington Beach Channel from Indianapolis Avenue to Adams Avenue, Huntington Beach; and make California Environmental Quality Act findings - District 2
- 35. Approve amended agreement D02-133 with Towill, Inc. for renewal of on-call surveying services (\$200,000) - All Districts
- 36. **Acting as the Board of Supervisors and Orange County Development Agency** - Approve plans and specifications and set bid opening for 5/19/04, 2:00 p.m., for Riverside Drive drainage improvements, Santa Ana Heights area; adopt resolutions approving use of redevelopment funds; and make California Environmental Quality Act and other findings - District 2
RESO: 04-098 - 04-099

SOCIAL SERVICES AGENCY

- 37. Approve acceptance of grant award from The Public Health Institute/California Center for Research on Women and Families for CalWORKS/Child Welfare Partnership Project, 10/15/03 - 11/15/04 (\$35,000) - All Districts
- 38. **Acting as the Board of Supervisors and OC In-Home Supportive Services Public Authority** - Approve agreement with Orange County Employees Retirement System for retirement benefits for employees of In-Home Supportive Services Public Authority, effective 5/1/04 - All Districts (4/5 vote)

PUBLIC PROTECTION

- 39. **Probation** - Authorize use of County vehicles for participation in 2004 Baker to Vegas Challenge Cup Relay Race, Las Vegas, 4/24/04 - 4/25/04; and make appropriate findings - All Districts

Sheriff-Coroner:

- 40. Approve continuance of emergency and make appropriate findings pursuant to Public Contract Code Section 22050 (c)(1) for emergency replacement of water softener system, Intake Release Center; set review to determine continuing need for emergency action for 5/4/04, 9:30 a.m., and every 14 days thereafter - District 1 (4/5 vote) (Continued from 3/16/04, Item 36; 3/30/04, Item 41)
- 41. Authorize use of County vehicles for participation in 2004 Baker to Vegas Challenge Cup Relay Race, Las Vegas, 4/24/04 - 4/25/04; and make related findings - All Districts
- 42. Authorize use of County vehicles for participation in 2004 Peace Officers' Memorial Ride from Sacramento to Santa Ana, 4/29/04 - 5/3/04; and make appropriate findings - All Districts
- 43. Select TMAD Engineers, Inc. as primary and TRC-EASI Engineers, Inc. as alternate firms to provide electrical design services, Central Jail Complex and Sheriff's Headquarters; and authorize negotiation of agreement for Board approval - District 1
- 44. Adopt resolution approving submission and execution of grant application to Governor's Office of Emergency Services for Emergency Management Performances for assistance and grant

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assurances, FY 2004 (\$446,287); and authorize Sheriff-Coroner to execute related documents - All Districts
RESO: 04-100

45. Approve plans and specifications and set bid opening for 5/26/04, 2:00 p.m., for replacement of ceilings and lighting, Central Men's Jail; and make California Environmental Quality Act findings - District 1

GENERAL ADMINISTRATION

Auditor-Controller:

46. Receive and file Annual Report of Cash Difference Funds, Overage Fund and Cash Losses for FY 2002-03 - All Districts
47. Approve schedule of county fixed asset physical inventory dates for 2004-05 - All Districts
48. Approve deletion of damaged, destroyed, dismantled, missing, surplused and obsolete equipment items from department/agency fixed asset inventories - All Districts
49. **County Counsel** - Receive and file report on County's ability to post additional information concerning registered sex offenders on the Internet - All Districts

B.O. **RECEIVED AND FILED**

County Executive Office:

50. Approve Grand Jury recommendations tracking report - All Districts (Continued from 3/30/04, Item 43)
51. Receive and file External Restructuring Program Report for the County of Orange - All Districts
52. Adopt resolution approving property tax exchange with Irvine for annexation of Planning Area 6-A into the city utilizing master property tax agreement - District 3
RESO: 04-101
53. Approve two-year license with Santa Ana Arts IV, Inc. for seventeen parking spaces for employees of Clerk Recorder's Office, Santa Ana; and make California Environmental Quality Act findings - District 1
35124
X
APPROVED AS RECOMMENDED
54. Approve two-year license with Santa Ana Arts IV, Inc. for twenty-four parking spaces for employees of Auditor-Controller's office, Santa Ana; and make California Environmental Quality Act findings - District 1
35124
X
APPROVED AS RECOMMENDED
55. Approve two-year license with Santa Ana Arts IV, Inc. for seventy-one parking spaces for employees of Assessor's office, Santa Ana; and make California Environmental Quality Act findings - District 1
35124
APPROVED AS RECOMMENDED

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X

56. Approve two-year license with Santa Ana Arts IV, Inc. for fifteen parking spaces for employees of Treasurer-Tax Collector's office, Santa Ana; and make California Environmental Quality Act findings - District 1

35124

APPROVED AS RECOMMENDED

X

57. **Registrar of Voters** - Approve amended price agreement N1000005824 with Spectacular Caterers for poll worker appreciation event, (\$7,477 increase; new total \$29,419.67) - All Districts

END OF CONSENT CALENDAR

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III. DISCUSSION ITEMS (Items 58-S77A)

CHILD SUPPORT SERVICES

58. Approve amendment 2 to price agreement N1000005679 with Print N Mail, Inc. for expanding printing and mailing services, effective 5/1/04 (\$278,083; new total \$525,763 per year) - All Districts
43125 **APPROVED AS RECOMMENDED**
X
59. Approve price agreement N1000005571 with Open Scan Technologies, Inc. for integrated mail/payment processing solution, 4/20/04 - 4/19/05 (\$580,000) - All Districts
43125 **APPROVED AS RECOMMENDED**
X

HEALTH CARE AGENCY

60. Approve amended agreements 00-90502 for FYs 2001-02 and 2002-03 and 03-75080 for FY 2003-04 with State Department of Health Services for continued reimbursement of Medi-Cal Administrative Activities - All Districts
43125 **APPROVED AS RECOMMENDED**
X
61. Receive oral update on the status of implementation of Integrated Records Information System - All Districts
B.O. **RECEIVED**
62. Approve purchase of unbudgeted phone system equipment for Environmental Health Division office relocation (\$90,000) - All Districts
53124 **APPROVED AS RECOMMENDED**
X X

HOUSING AND COMMUNITY SERVICES DEPARTMENT

63. Approve amendment 3 to standard agreement FC-0204-22 with State Department of Aging for Older Americans Act services (\$6,631; new total \$2,656,419) - All Districts
23145 **APPROVED AS RECOMMENDED**
XX
64. Approve amendment 2 to Master Agreements for Older Americans Act Title III programs, FY 2003-04 (\$109,571; new total \$5,731,747) - All Districts
32145 **APPROVED AS RECOMMENDED**
XX
65. Approve amended agreement KC03034 with Midway City Community Center for change in project design and activity (\$45,000; new total \$132,717.21); approve transfer of funds and purchase order with Resun Leasing, Inc. for purchase of two modular buildings; and make California Environmental Quality Act and National Environmental Policy Act findings - District 1 (4/5 vote)
B.O. **CONTINUED TO 4/27/04, 9:30 A.M.**

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66. Approve amended agreements with Propath, Inc., 5/1/03 - 12/31/04 (\$181,328; new total \$362,656) and Coast Community College District for telecommunications project, 10/1/03 - 12/31/04 (\$90,664 decrease; new total \$398,922 for northern region and \$90,664 decrease; new total \$398,922 for southern region) - District 2

23145 **APPROVED AS RECOMMENDED**

XX

INTEGRATED WASTE MANAGEMENT DEPARTMENT

67. Select GoeSyntec Consultants as primary and Advanced Earth Sciences, Inc. as alternate firms to provide multi-discipline engineering support services, central region landfills; and authorize negotiation of agreement for Board approval - District 3

B.O. **CONTINUED TO 5/11/04, 9:30 A.M.**

JOHN WAYNE AIRPORT

68. Approve amended price agreement N1000005180 with FMC Technologies, Inc. for additional Baggage Screening System parts replacement (\$60,000; new total \$4,497,668); and make California Environmental Quality Act findings - District 2

23145 **APPROVED AS RECOMMENDED**

XX

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

69. Adopt resolution approving grant agreement with Santa Ana Watershed Project Authority for removal of invasive Arundo grass, Santa Ana River (\$865,000); approve related budget adjustments and authorize Director or designee to execute amendments and other related documents under certain conditions - District 3 (4/5 vote)

32145 **APPROVED AS RECOMMENDED**

X

RESO: 04-102

70. Approve submission of grant application to Land & Water Conservation Fund for upgrade of existing sewer conservation project, O'Neill Regional Park - Districts 3 & 5 (4/5 vote)

53124 **APPROVED AS RECOMMENDED**

X

71. **Acting as the Orange County Flood Control District** - Approve amended agreements D03-008 with Epic Land Solutions, Inc. and D03-009 with Overland Resources, Inc. extending terms one year; and approve consent to assignment of agreement from Overland Resources, Inc. to Overland, Pacific & Cutler, Inc. for real property acquisition, relocation assistance program and related support services, Prado Dam Project - All Districts

32145 **APPROVED AS RECOMMENDED**

X

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PUBLIC PROTECTION

72. **Probation** - Adopt resolution approving submission of amended Comprehensive Multi-Agency Juvenile Justice Plan and application for approval to State Board of Corrections for Juvenile Justice Crime Prevention Act funds, FY 2004-05 - All Districts

25134 **APPROVED AS RECOMMENDED**

X

RESO: 04-103

Sheriff-Coroner:

73. Approve price agreement N1000005788 with Rolls-Royce Engine Services-Oakland, Inc. for repair and maintenance of helicopter engines, 5/1/04 - 4/30/07 (\$600,000 per year); renewable for two additional years - All Districts

54123 **APPROVED AS MODIFIED TO REQUIRE 2-YEAR RENEWAL TO RETURN TO**
X **THE BOARD FOR APPROVAL**

74. Approve amended agreement with Stanton for law enforcement services, 7/1/03 - 6/30/04 (\$6,371,803) - District 2

23145 **APPROVED AS RECOMMENDED**

X

GENERAL ADMINISTRATION

75. **County Executive Office** - Approve recommended positions on introduced or amended legislation and consider other legislative subject matters - All Districts

23145 **APPROVED AS AMENDED TO DELETE POSITON ON AB 3007 (noting Supervisor Norby's**
X **position on AB 2365 as neutral)**

76. **Supervisor Campbell and Supervisor Norby** - Board of Supervisors Subcommittee on Elections - Oral Status Report regarding Election process; approve activities identified in the Registrar of Voters' Immediate Actions Report and direct CEO to oversee implementation; approve recommended positions on legislation related to election process; and approve letter to the Secretary of State and authorize the Board Subcommittee on Elections to sign and mail

52134 **APPROVED AS MODIFIED TO APPROVE LETTER IN CONCEPT WITH MINOR**
X **MODIFICATIONS RECOMMENDED BY BOARD MEMBERS (RECOMMENDED ACTION**
3)

77. **Treasurer-Tax Collector** - Adopt resolution authorizing issuance of Anaheim City School District General Obligation Bonds, Election of 2002, Series 2004 (\$40,000,000) - Districts 3 & 4

43125 **APPROVED AS RECOMMENDED**

X

RESO: 04-104

- S77A. **Supervisor Norby** - Direct staff to create a standard procedure to analyze and respond to any future redevelopment agency creation or expansion by any Orange County city

43125 **APPROVED AS RECOMMENDED**

X

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IV. PUBLIC HEARINGS (Items 78-81)

HOUSING AND COMMUNITY SERVICES DEPARTMENT

78. Public Hearing to consider approving amended Annual Action Plans, FYs 2001 - 2003 for reprogramming of Community Development Block Grant funds (\$2.4 million); direct Department to prepare Final Annual Action Plan, FY 2004-05, and return to the Board for approval; and authorize Director or designee to approve related actions under certain conditions - All Districts

B.O. **CLOSED PUBLIC HEARING**

34125 **APPROVED AS RECOMMENDED**
X

79. **Acting as the Board of Supervisors and Orange County Housing Authority** - Public Hearing to consider approving revised Orange County Housing Authority Administrative Plan, FY 2004-05; and authorize submission to U.S. Department of Housing and Urban Development - All Districts

B.O. **CLOSED PUBLIC HEARING**

25134 **APPROVED AS RECOMMENDED**
X

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

80. Public Hearing to consider adopting resolution approving 2004 Weed Abatement Program and direct Resources Development Management Department to report back to the Board on 8/3/04 and 8/2/05 with itemized cost reports - All Districts

B.O. **CLOSED PUBLIC HEARING**

34125 **APPROVED AS RECOMMENDED**
X

RESO: 04-105

81. Public Hearing to consider adopting resolution approving Technical General Plan Amendment TGPA 04-01, necessary to gain compliance with recently adopted State legislation and regional regulatory policies; adopt Negative Declaration No. IP03-320; and make California Environmental Quality Act findings - All Districts

B.O. **CLOSED PUBLIC HEARING**

43125 **APPROVED AS RECOMMENDED, DIRECTED STAFF TO REPLACE ALL REFERENCES**
X **FROM PSDS TO RDMD**
RESO: 04-106

V. CLOSED SESSION (None)

S U M M A R Y A C T I O N M I N U T E S

VI. PUBLIC, BOARD & EMAIL COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Warren Collier - Oral Re: Brea Landfill expansion project concerns

Steve Stillwell and Elizabeth Ash - Oral Re: Board consideration of Animal Noise Control Regulations

Darrell A. Nolta - Oral Re: Electronic voting concerns

BOARD COMMENTS:

Supervisor Campbell - Oral Re: Absence from next week's meeting

Supervisor Norby - Oral RE: Attendance at OC Fire Authority Finance Committee Meeting where it was reported that the Fire Authority would receive an additional 11.03% increase in property tax funding this upcoming FY and activities regarding the League of Cities & Home Rule Initiatives.

ADJOURNED: 12:44 P.M.

35124 **Adjourned in memory of Joy Freschi**
X

35124 **Adjourned in memory of Linda Bomberg**
X

45123 **Adjourned in memory of Sgt. William M. Harrell**
X

25134 **Adjourned in memory of Nancy Cooper**
X

25134 **Adjourned in memory of Alberta Mandic**
X

52134 **Adjourned in memory of Ashley Blum**
X

52134 **Adjourned in memory of Madeline Morden**
X

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*** KEY ***

Left Margin Notes

- 1. = Supervisor Smith
- 2. = Supervisor Silva
- 3. = Supervisor Campbell
- 4. = Supervisor Norby
- 5. = Chairman Wilson

- A. = Abstained
- X. = Excused
- N. = No
- BO = Board Order

Right Margin Notes

- O. = Ordinance
- R. = Resolution

Above numbers refer to Supervisorial Districts (1st number = Moved by; 2nd number = Seconded by)

THOMAS W. WILSON, CHAIRMAN
Orange County Board of Supervisors

DARLENE J. BLOOM
Orange County Clerk of the Board